

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

MURREY'S DISPOSAL COMPANY, INC.,

Complainant,

v.

WASTE MANAGEMENT OF  
WASHINGTON, INC., WASTE  
MANAGEMENT DISPOSAL SERVICES OF  
OREGON, INC., AND MJ TRUCKING &  
CONTRACTING,

Respondents.

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MURREY'S DISPOSAL COMPANY, INC.,

Complainant,

v.

WASTE MANAGEMENT OF  
WASHINGTON, INC., WASTE  
MANAGEMENT DISPOSAL SERVICES OF  
OREGON, INC., AND DANIEL ANDERSON  
TRUCKING AND EXCAVATION, LLC,

Respondents.

DOCKET TG-200650 and  
TG-200651 (*Consolidated*)

**RESPONDENT MJ TRUCKING &  
CONTRACTING, INC.'S RESPONSES  
AND OBJECTIONS TO  
COMPLAINANT MURREY'S  
DISPOSAL CO., INC.'S DATA  
REQUESTS**

Respondent MJ Trucking & Contracting, Inc. (hereafter "MJ Trucking") provides the following responses and objections to Murrey's Disposal Company, Inc.'s Data Requests:

**GENERAL OBJECTIONS**

1. MJ Trucking objects that Instruction No. 1 is unduly burdensome, overbroad, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence. Moreover, redacted documents cannot be produced in native format. If Murrey's has a legitimate basis for requiring native information about any specific document produced by MJ Trucking, please advise us of the Bates number and the basis for the claimed need.

MJ TRUCKING'S RESPONSE TO COMPLAINANT'S  
DATA REQUEST - 1  
DOCKET TG-200650 and TG-200651 (*Consolidated*)

SUMMIT LAW GROUP, PLLC  
315 FIFTH AVENUE SOUTH, SUITE 1000  
SEATTLE, WASHINGTON 98104-2682  
Telephone: (206) 676-7000  
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2. MJ Trucking objects that General Instruction No. 6 is unduly burdensome, particularly given the overlapping and duplicative nature of the discovery requests. Subject to and without waiving this objection, MJ Trucking has cited to document Bates numbers as possible.

3. MJ Trucking objects to General Instruction No. 7 to the degree that it seeks the disclosure of information that is confidential, proprietary or protected by a trade secret.

4. MJ Trucking objects to the requests for documents to the degree they seek documents protected by the attorney-client privilege or the work product doctrine. MJ Trucking is not logging those documents.

**DATA REQUEST NO. 7:** Describe how MJ Trucking first came to provide transportation services with respect to PTP's OCC Rejects. Include in your response each of the following:

- (a) The name of the person who initiated Communications between MJ Trucking and any other person regarding this service;
- (b) The name of the MJ Trucking employee or representative involved in any Communications regarding the service;
- (c) The name of any Waste Management Affiliate's representative involved in any Communication regarding the service;
- (d) The name of any PTP representative involved in any Communication regarding the service;
- (e) The employer of the person who first initiated Communications regarding the service;
- (f) Whether that contact occurred in a written or electronic medium;
- (g) The date (or approximate date if the actual date cannot be identified) on which the initial communication occurred;
- (h) Whether the need, if any, for a certificate of public convenience and necessity was discussed.

**RESPONSE:** MJ Trucking objects that this Data Request is unduly burdensome, overbroad, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence. The information requested has no bearing on the legal issues in this case. Subject to and without waiving these objections, MJ Trucking came to provide transportation services with respect to PTP's OCC Rejects after verbal conversations involving Daniel Anderson, Mike Jennings, Eric Evans, and Justin Wheeler. Eric Evans and Justin Wheeler were the Waste Management Affiliate representatives involved in the Communications. These conversations occurred on or around June 1, 2020. Whether a certificate of public convenience and necessity was needed was not discussed.

**RESPONSE DATE:** 2/24/21

**NAME OF PERSON WHO PREPARED THE RESPONSE:** Mike Jennings

**NAME OF TESTIFYING WITNESS:** Mike Jennings

**DATA REQUEST NO. 9:** Describe how MJ Trucking first came to provide transportation services with respect to McKinley Paper's OCC Rejects. Include in your response each of the following:

- (a) The name of the person who initiated Communications between MJ Trucking and any other person regarding this service;
- (b) The name of the MJ Trucking employee or representative involved in any Communications regarding the service;
- (c) The name of any Waste Management Affiliate's representative involved in any Communication regarding the service;
- (d) The name of any McKinley Paper representative involved in any Communication regarding the service;
- (e) The employer of the person who initiated Communications;
- (f) Whether that contact occurred in a written or electronic medium;
- (g) The date (or approximate date if the actual date cannot be identified) on which the initial communication occurred; and
- (h) Whether the need, if any, for a certificate of public convenience and necessity was discussed.

**RESPONSE:** MJ Trucking objects that this Data Request is unduly burdensome, overbroad, not relevant, and not reasonably calculated to lead to the discovery of admissible evidence. The information requested has no bearing on the legal issues in this case. Subject to and without waiving these objections, Amanda Payne and Tania Herrera as representatives of Waste Management were the persons who initiated Communications concerning this service; Mike Jennings was the MJ Trucking representative involved in these Communications. These Communications occurred on or around June 1, 2020 and were verbal Communications. Whether a certificate of public convenience and necessity was needed was not discussed.

**RESPONSE DATE:** 2/24/21

**NAME OF PERSON WHO PREPARED THE RESPONSE:** Mike Jennings

**NAME OF TESTIFYING WITNESS:** Mike Jennings

**DATA REQUEST NO. 12:** Admit that MJ Trucking transports solid waste generated by PTP from PTP's Port Townsend, Washington facility to transloading facilities for purposes of disposal.

**RESPONSE:** Admit that MJ Trucking has transported solid waste generated by PTP on behalf of Daniel Anderson Trucking. Otherwise, deny.

**RESPONSE DATE:** 2/24/21

**NAME OF PERSON WHO PREPARED THE RESPONSE:** Mike Jennings

**NAME OF TESTIFYING WITNESS:** Mike Jennings

**DATA REQUEST NO. 14:** Admit that MJ Trucking transports solid waste generated by McKinley Paper at McKinley Paper's Port Angeles, Washington facility to transloading facilities for purposes of disposal.

**RESPONSE:** Admit that MJ Trucking transports solid waste generated by McKinley Paper at McKinley Paper's Port Angeles, Washington facility to transloading facilities. Otherwise, deny.

**RESPONSE DATE:** 2/24/21

**NAME OF PERSON WHO PREPARED THE RESPONSE:** Mike Jennings

**NAME OF TESTIFYING WITNESS:** Mike Jennings

RESPONSES AND OBJECTIONS SUBMITTED this 24th day of February, 2021.

SUMMIT LAW GROUP PLLC

By *s/ Jesse L. Taylor*

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*Attorneys for Respondents*

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon all parties of record in this proceeding, by the method as indicated below, pursuant to WAC 480-07-150.

<p><i>Attorneys for Complainant Murrey's Disposal Co., Inc.</i></p> <p>Blair I. Fassburg, WSBA #41207 David W. Wiley, WSBA #08614 Sean D. Leake, WSBA #52658 WILLIAMS, KASTNER &amp; GIBBS PLLC 601 Union Street, Suite 4100 Seattle, WA 98101-2380 Legal Asst: Maggi Gruber <a href="mailto:dwiley@williamskastner.com">dwiley@williamskastner.com</a> <a href="mailto:bfassburg@williamskastner.com">bfassburg@williamskastner.com</a> <a href="mailto:sleake@williamskastner.com">sleake@williamskastner.com</a> <a href="mailto:mgruber@williamskastner.com">mgruber@williamskastner.com</a></p>	<p><input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via Email</p>
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DATED this 24<sup>th</sup> day of February, 2021.

s/Sharon Hendricks  
Sharon Hendricks, Legal Assistant  
[sharonh@summitlaw.com](mailto:sharonh@summitlaw.com)